

**CITY OF EL PASO, TEXAS**  
**AGENDA ITEM DEPARTMENT HEAD'S SUMMARY FORM**

**DEPARTMENT:** Development Services Department, Planning Division

**AGENDA DATE:** Introduction: March 30, 2010  
Public Hearing: April 20, 2010

**CONTACT PERSON/PHONE:** Andrew Salloum, (915) 541-4029, salloumam@elpasotexas.gov

**DISTRICT(S) AFFECTED:** 7

**SUBJECT:**

An Ordinance changing the zoning of Tract 3A, Block 17, Ysleta Grant, City of El Paso, El Paso County, Texas from A-2 (Apartment) to S-D (Special Development), and imposing a condition. The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: 7860 North Loop Drive. Applicants: Jose A. and Olga Zepeda. ZON10-00001 (**District 7**)

**BACKGROUND / DISCUSSION:**

N/A

**PRIOR COUNCIL ACTION:**

N/A

**AMOUNT AND SOURCE OF FUNDING:**

N/A

**BOARD / COMMISSION ACTION:**

Development Coordinating Committee (DCC) – Unanimous Approval Recommendation  
City Plan Commission (CPC) – Approval Recommendation (6-0)

\*\*\*\*\*REQUIRED AUTHORIZATION\*\*\*\*\*

**LEGAL:** (if required) N/A

**FINANCE:** (if required) N/A

**DEPARTMENT HEAD:**

Victor Q. Torres  
Director, Development Services

**APPROVED FOR AGENDA:**

**CITY MANAGER:** \_\_\_\_\_

**DATE:** \_\_\_\_\_

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE CHANGING THE ZONING OF TRACT 3A, BLOCK 17, YSLETA GRANT, CITY OF EL PASO, EL PASO COUNTY, TEXAS FROM A-2 (APARTMENT) TO S-D (SPECIAL DEVELOPMENT), AND IMPOSING A CONDITION. THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.24 OF THE EL PASO CITY CODE.**

**NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

That the zoning of *Tract 3A, Block 17, Ysleta Grant, City of El Paso, El Paso County, Texas*, be changed from **A-2 (Apartment)** to **S-D (Special Development)**, within the meaning of the zoning ordinance, and that the zoning map of the City of El Paso be revised accordingly.

Further, that the property described above be subject to the following condition which is necessitated by and attributable to the increased density of use generated by the change of zoning in order to protect the health, safety and welfare of the adjacent property owners and the residents of this City:

*That vehicular access is restricted from Wenda Way.*

**PASSED AND APPROVED** this \_\_\_\_\_ day of \_\_\_\_\_, 2010.

**THE CITY OF EL PASO**

\_\_\_\_\_  
John F. Cook  
Mayor

**ATTEST:**

\_\_\_\_\_  
Richarda Duffy Momsen  
City Clerk

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Lupe Cuellar  
Assistant City Attorney

**APPROVED AS TO CONTENT:**

\_\_\_\_\_  
Mathew S. McElroy  
Deputy Director – Planning  
Development Services Department

## MEMORANDUM

**DATE:** March 22, 2010

**TO:** The Honorable Mayor and City Council  
Joyce A. Wilson, City Manager

**FROM:** Andrew Salloum, Planner

**SUBJECT:** ZON10-00001

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The City Plan Commission (CPC), on March 11, 2010, voted **6-0** to recommend **DENIAL** of rezoning subject property from A-2 (Apartment) to C-4 (Commercial) and **APPROVAL** of rezoning subject property from A-2 (Apartment) to S-D (Special Development) with a condition:

*That vehicular access is restricted from Wenda Way.*

The CPC found that the rezoning is in conformance with The Plan for El Paso and that the proposed use is in conformance with the 2025 Projected General Land Use Map for the Mission Valley Planning Area. The CPC also determined that the rezoning protects the best interest, health, safety and welfare of the public in general; that the proposed use is compatible with adjacent land uses; and the rezoning will have no effect on the natural environment, social economic conditions, and property values in the vicinity and the city as a whole.

There was **NO OPPOSITION** to this request.

**Attachment:** Staff Report



## *City of El Paso – City Plan Commission Staff Report*

**Case No:** ZON10-00001  
**Application Type:** Rezoning  
**CPC Hearing Date:** March 11, 2010  
**Staff Planner:** Andrew Salloum, 915-541-4029, [salloumam@elpasotexas.gov](mailto:salloumam@elpasotexas.gov)

**Location:** 7860 North Loop Road  
**Legal Description:** Tract 3A, Block 17, Ysleta Grant, City of El Paso, El Paso County, Texas  
**Acreage:** 0.3941-acre  
**Rep District:** 7  
**Existing Use:** Apartment  
**Existing Zoning:** A-2 (Apartment)  
**Request:** From A-2 (Apartment) to C-4 (Commercial)  
**Proposed Use:** Retail Establishment (low-volume)

**Property Owner:** Jose A. & Olga Zepeda  
**Representative:** Dorado Engineering

### **SURROUNDING ZONING AND LAND USE**

**North:** C-3 (Commercial) / Automobile Repair Shop and Restaurant  
**South:** A-2/sp (Apartment/special permit) / Fire Station  
**East:** S-D (Special Development) / Automobile Repair Shop  
**West:** A-2 (Apartment) / Single-Family Residential

**THE PLAN FOR EL PASO DESIGNATION:** Mixed Use (Mission Valley Planning Area)

**Nearest Park:** Tigua Library Park (270 Feet)

**Nearest School:** North Loop Elementary (890 Feet)

### **NEIGHBORHOOD ASSOCIATIONS**

There are no registered neighborhood associations in the area.

### **NEIGHBORHOOD INPUT**

Notice of a Public Hearing was mailed to all property owners within 300 feet of the subject property on February 10, 2010. The Planning Division has not received any letters or phone calls in support or opposition of the rezoning request.

### **APPLICATION DESCRIPTION**

The property owner is requesting to rezone the property from A-2 (Apartment) to C-4 (Commercial) in order to permit a retail store for residential doors and windows. The property is 0.3941-acre in size. The conceptual site plan proposes a 1,395 square-foot building with 5 parking spaces provided. Access to the subject property is from North Loop Drive.

### **DEVELOPMENT COORDINATING COMMITTEE RECOMMENDATION**

The DCC recommends **DENIAL** of rezoning the property from A-2 (Apartment) to C-4 (Commercial). The DCC instead recommends **APPROVAL** of S-D (Special Development) with the following condition:

*no access is permitted from Wenda Way.*

## **PLANNING DIVISION RECOMMENDATION**

The Planning Division recommends **DENIAL** of rezoning the property from A-2 (Apartment) to C-4 (Commercial) and instead recommends **APPROVAL** of S-D (Special Development) with the following condition:

*no access is permitted from Wenda Way.*

The denial recommendation of C-4 (Commercial) is for the following reasons:

1. The 2025 projected land use map designates this property as mixed use.
2. The C-4 (Commercial) zoning request would have a negative impact on the adjacent residential district
3. S-D (Special Development) is compatible with the adjacent property to the east that is zoned S-D (Special Development).

## **The Plan for El Paso-City-Wide Land Use Goals**

All applications for rezoning shall demonstrate compliance with the following criteria:

- a. Goal: develop a balanced and complete community which contains a mix of land uses and densities, housing types and styles, economic development, job opportunities, educational opportunities, and outlets for social and cultural expression.
- b. Goal: protect residential areas from incompatible land uses and encroachment which may have a negative impact on the residential living environment.
- c. Goal: preserve, protect, and enhance the integrity, economic vitality, and livability of the city's neighborhoods.

The purpose of S-D (Special Development) districts is to provide an opportunity for mixed-use projects, integrated in design, in certain older residential areas where there is a desire to permit a variety of nonresidential uses while maintaining the established residential appearance and landscaping of the area. The regulations of this district are designed to ensure compatibility with existing uses in the district; to permit the production, exhibit or sale of goods and the providing of services to the public in such older residential areas; to protect the traffic capacity of streets serving such older residential areas; to encourage flexibility by prescribing general performance standards for such older residential areas; and to protect the environment of adjacent areas. For the purpose of this district, older areas of the city shall be deemed those areas where development has existed for at least twenty-five years.

## **Development Services Department - Building Permits and Inspections Division**

Zoning Review: GIS shows that building encroaches on both side setbacks. CAD lists build date of 1968. Has building history been researched to determine if it qualifies for Legal Non-Conforming status. (The existing building will be demolished and a new structure will be built.)

Landscape Review: no comments received.

## **Engineering Department - Traffic Division**

- Heavy commercial vehicles may not be compatible with adjacent residential uses.
- Sidewalks shall be required on Wenda Way.
- If approved, recommend that no access will be allowed on Wenda Way.

## **Street Department:**

No comments received.

## **Fire Department**

No objections.

## **El Paso Water Utilities**

EPWU does not object to this request.

### **CITY PLAN COMMISSION OPTIONS**

The City Plan Commission may consider the following options and additional options that it identifies when reviewing the rezoning application

1. Recommend approval of the application finding that the rezoning is in conformance with the review criteria of The Plan for El Paso as reflected in CPC report or other criteria that the CPC identifies from the Plan.
2. Recommend approval of the application with modifications to bring the rezoning into conformance with the review criteria in The Plan for El Paso as reflected in CPC report or other criteria from the Plan as identified by the CPC.
3. Deny the application finding that the rezoning does not conform to the review criteria in The Plan for El Paso as reflected in CPC report or other criteria identified in the Plan by the CPC.

### **Attachments:**

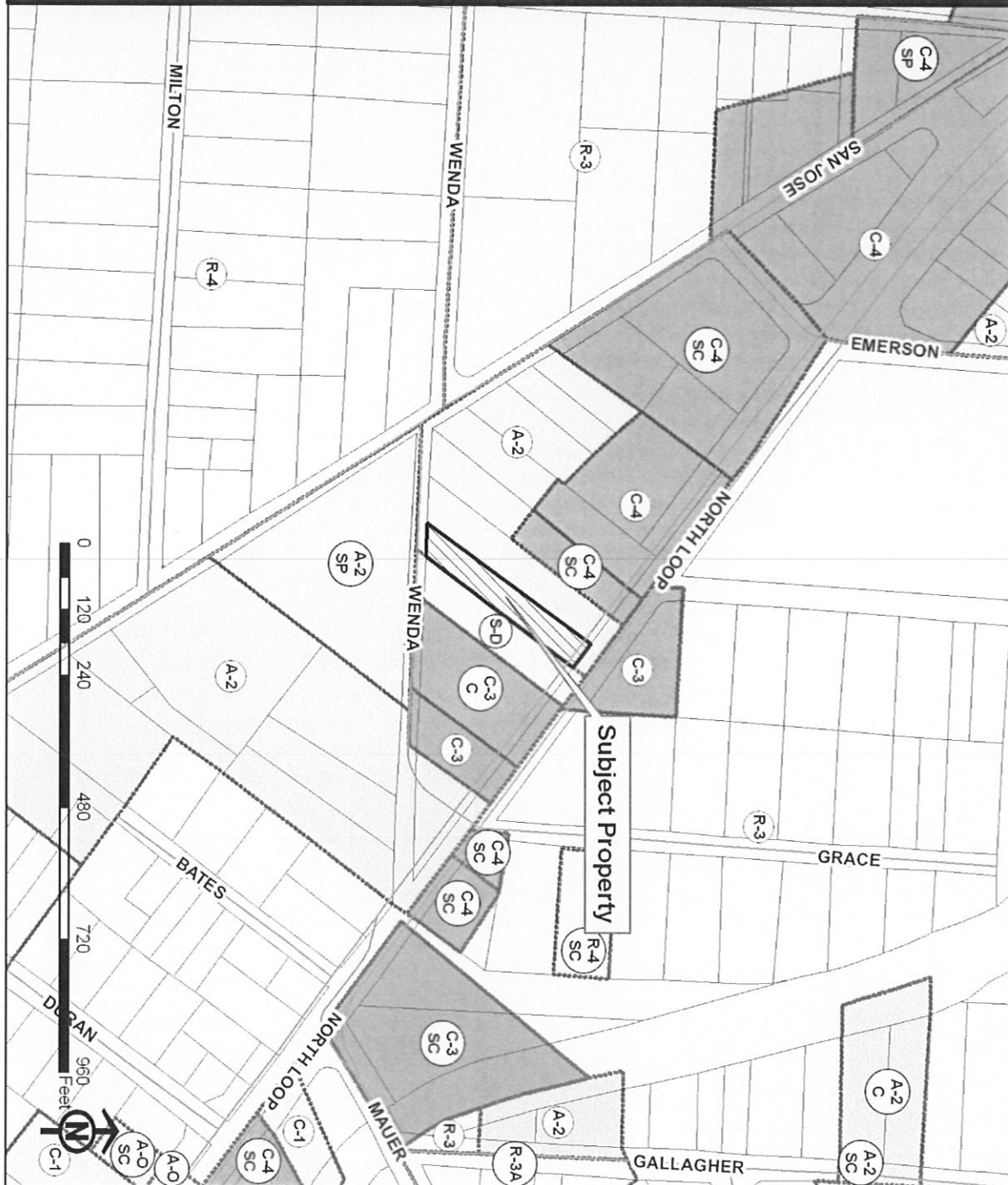
Attachment 1: Zoning Map

Attachment 2: Aerial Map

Attachment 3: Conceptual Site Plan

ATTACHMENT 1: ZONING MAP

ZON10-00001





ATTACHMENT 2: AERIAL MAP





# ATTACHMENT 3: CONCEPTUAL SITE PLAN

